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Federal Communications Commission

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WASHINGTON D.C.

In the matter of) MM Docket #93-33
)
Proposed Rulemaking) RM #8160
Firebaugh and Oakhurst, CA)
Channel 296-A and Channel 276-A)

To: The Chief, Mass Media Bureau
The Chief, Allocations Branch

RESPONSE TO THE COMMENTS, COUNTER-PROPOSAL AND REQUEST FOR
RULEMAKING

I, Harry J. Pappas, Licensee of KMPH-FM, Hanford, CA, assigned to Channel 298B (107.5 MHz), am responding to Comments, Counter-Proposal and Request for Rulemaking by Linda Ware and Don Stewart.

Ms. Ware requests that Channel 296A not be deleted at Oakhurst, California. If such a request were granted, and one were allowed to broadcast on that frequency from Oakhurst, an already difficult situation for four adjacent frequencies (Channel 295A/106.9 in Los Banos, Channel 296A/107.1 in Oakhurst, Channel 297A/107.3 and Channel 298-B/107.5 in Hanford) would clearly be further complicated. Each is, with some difficulty, attempting to serve their communities of license. Each is experiencing first adjacency interference, not because of over-modulation, but because of unique geographical factors.

Mr. Gamble, in his request for the Rulemaking is asking to move KAAT from 107.1 to 103.1. If this is allowed, we understand that KMMM will petition for re-assignment from

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107.3 to 107.1, eliminating the existing interference with 107.5.

Due to the inherent unique propagation characteristics of the San Joaquin Valley, where transmitting locations are at high elevations overlooking the broad valley floor (a condition recognized by the Commission from the comprehensive TASO studies of 30 years ago), signal levels in general extend beyond the normally predicted distances, with resulting interference.

Presently, considerable interference does, in fact, exist between KMPH-FM on 107.5 and KMMM on 107.3 in Madera. The changes in frequency proposed by Mr. Gamble would allow that interference to be removed, and improve the service of all four stations involved. But assigning yet another station on 107.1 simply creates more problems for each of the stations that are desperately attempting to provide quality service to their coverage areas.

It is our understanding that alternative channels are available for Ms. Ware, who wishes to provide service to Yosemite Village, California, and also for Mr. Stewart, who wishes to provide service to June Lake, California. If this is the case, we submit that the elimination of de facto interference affecting four existing stations should outweigh arguments which would prevent deletion of Channel 276A from Oakhurst.

In conclusion, I respectfully submit that Counter-Proposals and Rulemaking Requests of Ms. Ware and Mr. Stewart be denied.

Dated: May 6, 1993

Respectfully submitted,



Mr. Harry J. Pappas

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CERTIFICATE OF SERVICE

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that a true copy of the following "Response to the comments, Counter-Proposal and Request for Rulemaking" was sent this 7th day of April, 1993, first-class United States mail, postage prepaid, to the following:

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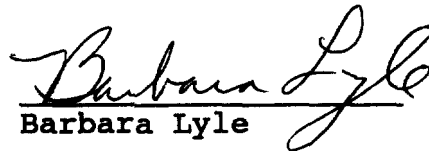
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